



## Elections between hope and fear

### *The African Great Lakes in Transition?*

#### Summary

Following more than a decade of conflict and destruction, the African Great Lakes are entering a crucial phase. With elections due this year, the transition processes in DRC and Burundi are reaching their final stages. Although both processes remain hugely fragile they could, if well managed, form important building blocks for a more peaceful future for the region. In particular, the future stability of Rwanda is intimately linked to the evolution of its neighbours. Placing too much hope on the effect of the elections would be ill-advised, however, since the road will remain long and rocky. The elections as such should not be seen as an exit strategy for the international community; a high degree of involvement will remain a necessity.

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## Democratic Republic of the Congo

### Challenges

The DRC is about to enter the final stage of its transition period, which started on 30 June 2003. The Intercongolese Dialogue opted for the so-called 1+4 format – a president and four vice-presidents – for the Transitional Government (TG). The TG includes representatives of: the former government (President Kabila), the Congolese Rally for Democracy (Rwandan-backed RCD-Goma), the Movement for the Liberation of Congo (MLC of J.P. Bemba), the non-armed political opposition, civil society and several smaller armed groups (with the exception of those active in Ituri).

The main challenge for the TG is the organisation of the first democratic elections since 1965. To arrive at this end several other challenges have to be met:

- Minimal security conditions for the elections – progress in the formation of the new army and police force, as well as the Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration (DDRRR) of the foreign military groups<sup>1</sup> active on DRC territory;
- Establishment of state authority throughout the country;

- Creation of a legal framework for the elections and the post-Transition period.

Although some progress has been achieved on several of these issues, it has been too little, and too slow. Therefore it will be necessary to prolong the Transition by at least one six-month period (until 31 December 2005).<sup>2</sup> There are already some strong indications that it will not be possible to hold the elections until 2006, which would imply a second prolongation. The main issues that remain to be dealt with are as follows:

- The practical preparations for the elections  
Deployment of the Independent Electoral Commission (IEC) throughout the country, the training of IEC agents who are going to operate in the field and the registration of voters.
- Legal framework  
The Constitution, which has to be approved in a popular referendum, is nearing its completion, but the deadline recently set by the transitional institutions has not been respected. Furthermore, several laws still need to be adopted by both assemblies.
- Security  
In large areas of the country armed conflict and a

<sup>1</sup> Ex-FAR/Interahamwe (or FDLR, ALIR, FOCA), ADF, PRA

<sup>2</sup> The All-inclusive Agreement allows for a maximum of two six-month extensions of the Transition period.

high degree of insecurity make the organisation of elections virtually impossible, at least for the moment. The lack of progress in security sector reform (SSR) also presents a huge risk, as the political and security structures remain weak and underpaid soldiers and policemen pose a security threat. The police are not yet capable of assuring basic security in the main cities, let alone the countryside, and FARDC deployments tend to have a destabilising effect.

The situation in both Ituri and the Kivu Provinces remains explosive. The situation in Ituri has little connection with the Transition process. It is mainly the credibility of the UN mission, MONUC, which is at stake there. The serious tensions that exist in the Kivus are partly about questions of land ownership, as they are in Ituri, but the tensions are of a different nature. The nationality of the Rwandophone communities is the issue that forms the background in the Kivus. Here, the regional context and, in particular, the continued presence in the DRC of the ex-FAR/Interahamwe, is of paramount importance. Attempts to carry out DDRRR of these combatants remain largely unsuccessful. The declaration of 31 March 2005 might lead to a breakthrough, but questions remain. On the one hand this group, part of which was involved in the 1994 Rwandan genocide, is considered by Kigali to be a security threat. Rwanda uses their presence in the DRC as a pretext to remain involved in the border area. Rwandan involvement in the Kivu Provinces, on the other hand, exacerbates the local conflict in this area, where the Rwandophone inhabitants are regarded as a Trojan horse.

These problems notwithstanding, it would be ill-advised to use the security situation as grounds for avoiding holding elections in some regions of the country. Yet, how can the lack of progress on these vital issues be explained? Several factors can be considered crucial:

## Internal

Apart from the first few months, the Transition has been characterised by a lack of purpose. Last year and the beginning of this year were marked by recurrent political crises, during which both the RCD-G and the MLC threatened to leave the Transition and return to their respective power bases. In both cases international pressure saved the day. However, further crises of this kind remain a distinct possibility, especially since both movements show signs of internal dissent.

While the 1+4 system has the great advantage of achieving maximum inclusivity, the disadvantage is its complexity, which in combination with the personalities (and the calculations) of the key players has led to a political void in Kinshasa. The complete lack of trust between Kabila, Bemba and Ruberwa reinforced this situation. All have refused to relinquish the full range of options (including the military option). Further fuelling the mutual suspicions are the 'parallel structures' that all factions maintain.

Moreover, the population's perception of the TG is increasingly negative; they see it as marred by corruption, and note the lack of progress in preparing the elections, the lack of basic security, etc. This attitude seemingly reinforces the position of those who remained outside the Transition while, on the other hand, it reinforces the incumbents' conviction that the current situation (prolongation of the Transition) is preferable.

## External

The continued meddling by the foreign sponsors of the former combatants has also contributed to the lack of progress. Not only is Rwanda continuing to use the presence of ex-FAR/Interahamwe in Eastern DRC as a justification for remaining entangled in in the DRC, Uganda and Angola both maintain special relationships with their former allies – in part to avoid the DRC being lost to a rival.

## The elections...

The main actors in the elections will be the incumbent President, J. Kabila, Vice-President J.P. Bemba and a few leaders who remained outside the Transition process: Tshisekedi and possibly Mgr Monsengwo. The RCD-G stands little chance of success, but the result in its power base North Kivu will be of great importance. Most probably the front runners will be Kabila and Tshisekedi. For a large part of the Congolese political class, the continuing Rwandan threat is a godsend – it stimulates the nationalist reflex and remains the main political rallying factor. Perhaps this is an explanation for the lack of political will to find a solution for the Kivu problems?

As well as in the Kivus, the ethnicity factor will have a political impact in Katanga and Kasai, where pre-electoral national unity could prove to be an illusion. These difficulties notwithstanding, the DRC's main cities are in the grip of election fever and both the

population and important players in the political opposition remain attached to the date of 30 June for the elections. While it is clear that the elections will have to be delayed, this has not yet been clearly communicated to the population, partly because of fears of the popular outburst of anger that could follow (as was demonstrated in January of this year).

## Burundi

After a series of initial delays lasting several months, the preparations for democratic elections in Burundi (the first in 12 years) are now very advanced. The post-Transition Constitution was approved in a popular referendum on 28 February 2005. Furthermore, the laws that still have to be adopted are in their final stages of deliberation. Nevertheless uncertainties remain about the dates, reflecting the nervousness of several of the main players.

The elections in June 1993 led to a coup a few months later, during which the elected Hutu President was assassinated. These events were the direct cause of the current situation.

### The spectre of genocide

At the grassroots level a mutual fear of genocide in both Hutu and Tutsi populations can be considered the engine of the conflict. These fears are exploited by the small and largely interconnected Hutu and Tutsi political elites.<sup>3</sup> The elections are important, but the reconstruction of the country can only really start after truth, impunity, justice and reconciliation issues are dealt with.

Sustainability will depend to a large extent on the socio-economic development of the country.

The army is a crucial actor in the peace process, and will remain so in the post-Transition period. It is the cradle of a large part of the political elite. The southern Tutsi elite, who dominate the armed forces hierarchy, see the army as their security guarantee against a Hutu majority. This is especially the case now that the constitutional arrangements will result in domination by Hutu political parties. Although this result will reflect the electoral realities, the disadvantage is that it will fuel the Tutsi fear of marginalisation and of possible Hutu revenge.

In the meantime, the Forces for National Liberation (FNL/RWASA), rumoured to operate from bases in the DRC, remain outside the political

Increasingly, the latent power of the people is a factor to be reckoned with in the DRC. A further flare-up of the situation in the east of the country could also provoke widespread popular anger.

To lessen the risk of such an explosion, at least some tangible progress such as voter registration and adoption of the necessary legislation must be achieved.

process. It is not clear whether they do this in order to benefit from their role as the 'true' Hutu opposition. Reportedly they recently indicated their preparedness to negotiate, which raises the question as to what they could hope to obtain at this stage of the process. The FNL does not have a large military capacity but its existence creates a high degree of insecurity in Bujumbura Rural and the area bordering the DRC. More importantly, the sheer existence of the FNL has allowed both the army and the National Council for the Defence of Democracy/ Forces for the Defence of Democracy (CNDD/FDD) to delay the DDR process, while they maintain their operational capabilities (although they have progressively begun to work together in joint operations). Furthermore, giving the FNL positions in the army structure would mainly harm the interests of the CNDD/FDD.

Rwanda and Burundi, have chosen different paths to accommodate the Hutu-Tutsi tension. The Rwandan Patriotic Front (RPF) regime has opted for the denial of ethnicity and is establishing a national Rwandan identity. It nevertheless continues to be perceived as Anglophone and Tutsi-dominated, raising doubts about its durability. Burundi on the contrary has, in its new Constitution, chosen a quota system, offering a guaranteed presence for the minority. A considerable portion of the Tutsi politicians disagree with the form of guaranteed representation, since it means their political parties stand to lose. Success or failure, the Burundi example will have considerable consequences for neighbouring Rwanda.

### The political process

The referendum on the Constitution went smoothly, with a high voter turnout (92.4 per cent). Nevertheless, several Tutsi-dominated parties remain wary of the elections, although they are

<sup>3</sup> These elites are region-based, with the elite currently in power having its base in Bururi Province.

likely to exploit the main struggle for power between the main Hutu parties: Nkurunziza's CNDD/FDD and Minani's FRODEBU. The personal ambitions of the key players are one of the main reasons for the delays in the peace process. The majority of the smaller parties, mainly Tutsi, have no political future. All the parties, however, will have to include Tutsi and Hutu candidates on their lists, to comply with the constitutional guidelines. In the very likely scenario that the election result does not reflect the constitutional quota system, the Independent National Election Commission (CENI) will co-opt other members of parliament to ensure the guaranteed representation of women and Tutsi in the elected institutions. This will most certainly involve a high degree of 'political entrepreneurship'. In this uncertain context, refugees (mainly Tutsi) are leaving northern Burundi for Rwanda, fuelling fears of new rebel movements. It is imperative that the peacekeeping force remains present in the country after the completion of the election process, to consolidate the newly elected institutions and to allay fears of a potential coup d'état (repetition of 1993) following a premature withdrawal of ONUB.

## Conclusions and recommendations

Both in Burundi and the DRC, the elections can become an important step on the path to normality. In both cases, however, the election process will be put under strong pressure by key players at domestic and at regional level. The key players are likely to lose a great deal in the elections; some need to be reassured and others need to be kept in check.

Besides the potential spoilers (largely the hardliners on all sides), the high expectations (especially in the DRC) within the population also have to be managed. The conflicts are deep-rooted and the countries are both re-emerging from a fundamental

crisis. A return to normality will take a long time. Large-scale presence and follow-up by the international community are needed.

To create the minimal conditions for durable stabilisation of the region, several issues will have to be addressed:

## Immediate

- Maximum post-election inclusivity should be demanded by the international community; the elections cannot be on the basis of 'winner takes all';
- The DDRRR of the ex-FAR/Interahamwe operating from the DRC has to be rendered effective;
- A political effort should be made to pacify the local conflicts in the DRC, mainly in the Kivu Provinces;
- Border security and verification mechanisms have to be strengthened;
- Especially in the DRC, but also in Burundi, urgent progress must be made in SSR/DDR; the international community needs to improve its co-ordination in this area;
- The international community needs to strengthen its political role.

## Structural

- The issues of justice, impunity and truth have to be dealt with at the national, regional and international levels, to break the vicious circle of retaliation;
- A major effort should be launched to help the region in large-scale socio-economic development; this is a prerequisite for achieving sustainable pacification;
- Regional co-operation (CEPGL, Regional Conference, etc.) must be reinforced to provide a platform for settling regional disputes and as a means of achieving economic development.

*The views expressed here are those of the author and are not necessarily those of the Clingendael Institute or its staff members.*

## ABOUT...

### The Clingendael Conflict Research Unit

The Netherlands Institute of International Relations 'Clingendael' conducts training and research on international affairs. The Conflict Research Unit (CRU), which is part of Clingendael Security and Conflict Programme, focuses on conflict-related issues in developing countries.



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